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SUBJECT: Land Disputes Draw More Protesters to Phnom Penh

¶1. (SBU) Summary: In May, over 300 farmers gathered in front of the National Assembly in protest against those authorities alleged to be responsible for usurping their land. The protesters called on Prime Minister Hun Sen, the National Assembly and civil society to help in resolving their claims. Subsequently, the protesters agreed to leave Phnom Penh following assurances their cases would be resolved. Civil society leaders remain concerned that land grabbing continues to be the norm across Cambodia and in most of the land disputes, the weak and the poor lose their land to the rich and the powerful. In the absence of an impartial judiciary and a new Land Dispute Authority that is not yet fully active, the court of last resort appears to be the Prime Minister himself. End Summary.

Land Dispute Cases Continue to Plague Cambodia

¶2. (U) In one of the most recent land dispute cases, a group of 190 protesters from Banteay Meanchey province claimed local authorities and police and military commanders usurped 1,257 hectares of land in districts of Malay and Preah Neath Preah. The protesters representing over 300 families arrived May 17 in front of the National Assembly in Phnom Penh to publicize their plight and protest against those who seized the land they claim to have occupied since ¶1993. The protesters say the provincial court as well as authorities at the district and provincial levels have not resolved the issue since 2004 when they filed complaints following the illegal seizure of their land. The majority of the protesters are former refugees who had received the land in 1993/1994 following their repatriation from refugee camps in Thailand.

¶3. (U) On May 17, over 100 land protesters from Kompong Cham province joined the Banteay Meanchey group in front of the National Assembly. The protesters complained that forest authorities and military commanders grabbed 450 hectares of their farmland in the Districts of Memot and Krochma. According to the protesters, the authorities and military commanders allegedly appropriated the land for a development project. The protesters argued they do not believe the justification and refuse to give up the land they have farmed since 1980.

¶4. (SBU) On May 22, authorities in both Kompong Cham and Banteay Meanchey convinced the protesters that their cases would be resolved if they returned to their respective provinces and all have agreed to leave Phnom Penh. This latest protest across from the National Assembly shows, however, that land disputes remain a complicated issue across Cambodia - and are creating a growing sense of injustice. As local and provincial authorities

National Assembly Site a Haven for Land Protesters

15. (U) The Kompong Cham and Banteay Meanchey groups have been only the latest in a series of land protesters who have come to the National Assembly to raise awareness of their cases. In February 2006, the number of land protesters swelled to more than 1,000 families whose representatives had set up camp across from the National Assembly to gain publicity and government attention to their plight. The protesters only agreed to leave Phnom Penh after representatives from Prime Minister Hun Sen's office assured them that their disputes would be properly adjudicated prior to their return home. NGOs, however, complain that there have been no resolutions to most cases and some families are still prohibited from returning to the disputed land. In other instances, they are permitted to return and farm pending a resolution.

RGC Intention to Resolve Disputes Questioned

16. (SBU) Cambodian Center for Human Rights Director Kem Sokha suggests that people do not believe local authorities and the government are interested in resolving land disputes that have plagued most of Cambodia's provinces. "Because the government is well aware of the disputes and the negative consequences of land concessions, the government could resolve them successfully if they wanted," argued the human rights leader. "The government looks away because the personal interests of government officials and their wealthy backers are at stake," said Kem Sokha. Sokha is not confident that the newly established National Authority to resolve land disputes will succeed, although members of the

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opposition party are included in the composition of the authority.

It All Rests with the Prime Minister

17. (U) So far, the only individual capable of rendering assistance to those afflicted by land disputes is Prime Minister Hun Sen. On May 16, Hun Sen ordered authorities of Siem Reap Province's Banteay Srei District to return nearly 3,300 hectares of land seized by local authorities to approximately 100 villagers and military personnel who had been allocated the land. On May 21, provincial authorities for the village of Kbal Spean in Banteay Meanchey province announced that each of the 218 families who protested their eviction on March 21, 2005 would receive an 8 by 20 meter plot at the order of the Prime Minister, as well as 100 kilos of rice and 300,000 riels (USD 75). The governor, the families, and the provincial ADHOC coordinator expressed satisfaction with the decision. The families of those killed protesting the eviction in Kbal Spean last year are continuing to seek justice through the courts.

Comment

18. (SBU) Land disputes remain a growing, if not explosive, problem. Average Cambodians are concerned that the entire country has a price tag, and private as well as public land ownership will soon belong to a small, privileged segment of society. Officials outside Phnom Penh are afraid to intervene in cases for fear of political repercussions, forcing hundreds to come to the capital to seek government action. Those cases that have been successfully resolved have required the intervention of the Prime Minister or members of his immediate staff, who are sensitive to the media attention given to large numbers of protesters in front of the National Assembly. Until the Land Dispute Authority begins its work, groups of disgruntled peasants

will continue to come to Phnom Penh to draw attention to a problem that shows no signs of going away.

STORELLA